



# City of Keller City Council Agenda

Keller Town Hall  
1100 Bear Creek Parkway  
Keller, TX 76248  
817-743-4000  
[www.cityofkeller.com](http://www.cityofkeller.com)

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Tuesday, September 18, 2018

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## **PRE-COUNCIL MEETING 5:00 P.M.**

### **A. CALL TO ORDER - Mayor Pat McGrail**

### **B. DISCUSS AND REVIEW AGENDA ITEMS**

### **C. EXECUTIVE SESSION**

1. Section 551.087, Texas Government Code - Deliberation Regarding Economic Development Negotiations.

(1) To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or

(2) To deliberate the offer of a financial or other incentive to a business prospect described by Subdivision.

a.) Tract 9C, Abstract 692, Holland, W J Survey

2. Adjourn into Open Meeting.
3. Action on Executive Session Item 1 if necessary.

### **D. WORK SESSION**

1. [Discussion relating to Section 5307 - Carbon Dioxide \(Co2\) Systems Used In Beverage Dispensing Applications in the Fire Code.](#)

### **E. ADJOURN**

## **REGULAR MEETING 7:00 P.M.**

### **A. CALL TO ORDER – Mayor Pat McGrail**

### **B. INVOCATION**

### **C. PLEDGE OF ALLEGIANCE**

1. Pledge to the United States Flag

2. Pledge to the Texas Flag - "Honor the Texas Flag: I pledge allegiance to Thee, Texas, one State under God, one and indivisible."

## **D. PROCLAMATIONS & PRESENTATIONS**

## **E. PERSONS TO BE HEARD**

This is a time for the public to address the City Council on any subject. However, the Texas Open Meetings Act prohibits the City Council from discussing issues which the public has not been given seventy-two (72) hours' notice. Issues raised may be referred to City Staff for research and possible future action.

## **F. CONSENT**

1. [Consider approval of the Minutes of the Tuesday, September 4, 2018 Regular City Council Meeting.](#)

**Attachments:**     [082118 Minutes](#)

2. [Consider a resolution approving a negotiated settlement between the Atmos Cities Steering Committee \("ACSC"\) and Atmos Energy Corp., Mid-Tex Division regarding the company's 2018 Rate Review Mechanism \(RRM\) filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustment consistent with the negotiated settlement; finding the rates to be set by the settlement tariffs to be just and reasonable and in the public interest; requiring reconciliation and rate adjustment if federal income tax rates change; terminating the RRM process for 2018 pending renegotiation of RRM terms and conditions; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the company and the ACSC's legal counsel.](#)

**Attachments:**     [091818 Atmos RRM Resolution](#)  
                              [091818 Atmos RRM Exhibit A](#)  
                              [091818 Atmos RRM Exhibit B](#)  
                              [091818 Atmos RRM Exhibit C](#)

3. [Consider a resolution authorizing the City Manager to execute an Interlocal Agreement with Keller Independent School District, for the funding of two full-time School Resource Officers and one less than full-time School Resource Officer, for the Keller Police Department.](#)

**Attachments:**     [091818 School Resource Officer Res.](#)  
                              [091818 School Resource Officer Exhibit A](#)

4. [Consider a resolution amending Resolution No. 2743, dated October 7, 2008; and authorizing the renewal and amendment of the Interlocal Agreement for Police Services with the Town of Westlake, Texas, for a five-year term from October 1, 2018 through September 30, 2023.](#)

**Attachments:**    [091818 Police Svcs with Westlake Resolution](#)  
                              [091818 Police Svcs with Westlake Exhibit A](#)

5. [Consider a resolution approving the bid from Earthworks, Inc., of Alvarado, Texas for contractual services relating to Keller Town Center Annual Landscape Maintenance Services, for the Parks and Recreation Department, for a three-year term; and authorizing the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.](#)

**Attachments:**    [091818 EarthworksInc Resolution](#)  
                              [091818 EarthworksInc BidTab](#)

## **G. OLD BUSINESS - None**

## **H. NEW BUSINESS**

1. [PUBLIC HEARING: Consider an ordinance approving of a Specific Use Permit \(SUP\) for MedSmith, a proposed medical office to occupy a 3,278 square-foot lease space within a 38,975 square-foot multi-tenant building, located on a 3.595-acre tract of land, located on the east side of South Main Street \(U.S. HWY 377\), approximately 525 feet north from the intersection of Bear Creek Parkway and South Main Street \(U.S. HWY 377\), being Lot 1, Block A, Baylor Medical Plaza Addition, at 601 South Main Street \(U.S. HWY 377\), suite 110, and zoned OTK \(Old Town Keller\). \(SUP-18-0026\)](#)

**Attachments:**    [09182018 MedSmith ProposedOrdinance](#)  
                              [09182018 MedSmith ExhibitA Application](#)  
                              [09182018 MedSmith ExhibitA BuildingPlans](#)  
                              [09182018 MedSmith ExhibitA LandlordLetter](#)  
                              [09182018 MedSmith StaffAttachment BaylorMedicalPlazaSP&Res.No.2279](#)  
                              [09182018 MedSmith StaffAttachment BaylorMedicalPlazaPlat](#)  
                              [09182018 MedSmith Maps](#)

2. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) to allow the use of a spa to include cosmetologist services such as \(hair, nails and face\), in addition to massage therapists licensed in TX, for Terrace Retreat Spa, located in an approximately 1,250 square foot lease space, contained in the 10,000 square foot multi-tenant building, on an approximately .84-acre property, located on the south side of Keller Parkway, approximately 170 feet south west of the intersection of Keller Parkway and Cindy Street North, being Lot 1R, Block A, The Shops at Cindy Addition, zoned R \(Retail\), located at 460 Keller Parkway, Suite B. Bass Commercial Investments, LLC, owner. Anne Adams, applicant. \(SUP-18-0020\)](#)

**Attachments:**    [091818 TerraceRetreat\(SUP-18-0020\) Ordinance](#)  
[091818 TerraceRetreat\(SUP-18-0020\) ExhibitA ApplicationAndPictures](#)  
[091818 TerraceRetreat\(SUP-18-0020\) ExhibitA NarrativeAndFloorPlan](#)  
[091818 TerraceRetreat\(SUP-18-0020\) ExhibitA PetitionsForSupport](#)  
[091818 TerraceRetreat\(SUP-18-0020\) Maps](#)  
[091818 TerraceRetreat\(SUP-18-0020\) StaffAttachment MassageOrdinance](#)  
[091818 TerraceRetreat\(SUP-18-0020\) StaffAttachment SitePlan](#)  
[091818 TerraceRetreat\(SUP-18-0020\) StaffAttachment SpaMap](#)  
[091818 TerraceRetreat\(SUP-18-0020\) StaffAttachment ConcernLetter](#)

3. [PUBLIC HEARING: Consider an ordinance to approve a Specific Use Permit \(SUP\) to allow Alexa Pharmacy DBA SV LLC, to operate a 1,700 square foot "Pharmacy or Drug Store" in a vacant suite, existing within a 9,870 square-foot retail building, located on a 1.47-acre lot on the north side of Keller Parkway \(FM1709\), approximately 380 feet west of the Rufe Snow Drive and Keller Parkway \(FM1709\) intersection, being Lot 3R-1R6, Block 8, Bluebonnet Trails Addition, at 967 Keller Parkway \(FM1709\), and zoned TC \(Town Center\). KWLee Properties, LP, owner; Sarithakumari Keesari, applicant; Terry Frey, NuVision Designs, designer. \(SUP-18-0021\).](#)

**Attachments:**    [091919 AlexaPharmacy Ordinance](#)  
[091818 AlexaPharmacy Exhibit A](#)  
[091818 AlexaPharmacy Maps](#)  
[091818 AlexaPharmacy Staff Attachments Pharmacy Maps](#)  
[091818 AlexaPharmacy Staff Attachment AppSitePlan](#)

4. [Consider a resolution of the City Council of the City of Keller, Texas amending Resolution No. 3440, dated November 5, 2013, by amending the guidelines and criteria for Facade Improvement Grant program.](#)

**Attachments:**    [091818 Facade Grand amend Resolution](#)  
[091818 Facade Grant Exhibit A](#)

5. [PUBLIC HEARING: Consider an ordinance approving certain amendments to the Fiscal Year 2017-18 Annual Operating Budget for the City of Keller, Texas, in accordance with Article VIII, Section 8.13, of the Keller City Charter.](#)

**Attachments:**    [FY 18 Budget Amend](#)

6. [PUBLIC HEARING: Consider an ordinance adopting the annual budget for the City of Keller, Texas, for the Fiscal Year beginning October 1, 2018 and ending September 30, 2019, including the 2018-19 Capital Improvements Program, and adopting the Fiscal Year 2018-19 Fee Schedule for the City of Keller, Texas.](#)

**Attachments:**    [091818 Budget Adopt Ordinance](#)  
[091818 FY 19 Fee Schedule](#)

7. [Consider a resolution ratifying the tax revenue for the Tax Year 2018 \(Fiscal Year 2018-19\) for the City of Keller, Texas.](#)

Attachments:     [091818 Tax Ratification Resolution](#)

8. [Consider an ordinance levying taxes to be assessed on all taxable properties within the city limits of the City of Keller, Texas for the Tax Year 2018 \(Fiscal Year 2018-19\).](#)

Attachments:     [091818 Tax Rate Adopt Ordinance](#)

## **I. DISCUSSION – None**

## **J. EXECUTIVE SESSION**

1. **Section 551.087, Texas Government Code - Deliberation Regarding Economic Development Negotiations.**

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(2) To deliberate the offer of a financial or other incentive to a business prospect described by Subdivision.

a.) Tract 9C, Abstract 692, Holland, W J Survey

2. **Adjourn into Open Meeting.**
3. **Action on Executive Session Item 1 if necessary.**

## **K. ADJOURN**

### **CITY OF KELLER MISSION STATEMENT**

*Our mission is to support a vibrant community of high quality neighborhoods, thriving businesses and natural beauty by setting the standard for excellence in municipal efficiency, service and innovation.*

### **CERTIFICATE**

*I hereby certify that the above notice is posted, per the Open Meetings Law, Texas Government Code, Chapter 551, on the official bulletin board at Keller Town Hall, 1100 Bear Creek Parkway, on Thursday, September 13, 2018 at 5:00 P.M.*

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Kelly Ballard, City Secretary

***Persons with disabilities who plan to attend this public meeting and who may need auxiliary aid or services are requested to contact the ADA Coordinator 48 hours in advance, at 817-743-4041, and reasonable accommodations will be made for assistance.***